

To: Allen, Joseph J [REDACTED]  
From: Pellettiere, Christopher A.  
Sent: Fri 10/6/2017 6:38:41 PM  
Subject: Bump Stocks and NFORCE  
Bump Stock Research from NFORCE Oct 6 2017.xlsx

Joe:

I went ahead and did some queries on the bump stock issue. I found 123 distinct cases that will need to be researched to confirm the query. The attached shows search terms used, results compiled in a de-duplicated master list, individual sheets for each search term, "bump stock" property in ATF custody, and all cases, defendants, charges and their judicial status in cases where some form of bump stock was mentioned.

Let me know if you need anything else.

Chris Pellettiere  
Chief, Office of Strategic Management  
O: 202-648-7425

C: [REDACTED]

ATF HQ Room 5 E 407



PROTECTING THE PUBLIC  
SERVING OUR NATION

AR000668

**Search Terms**

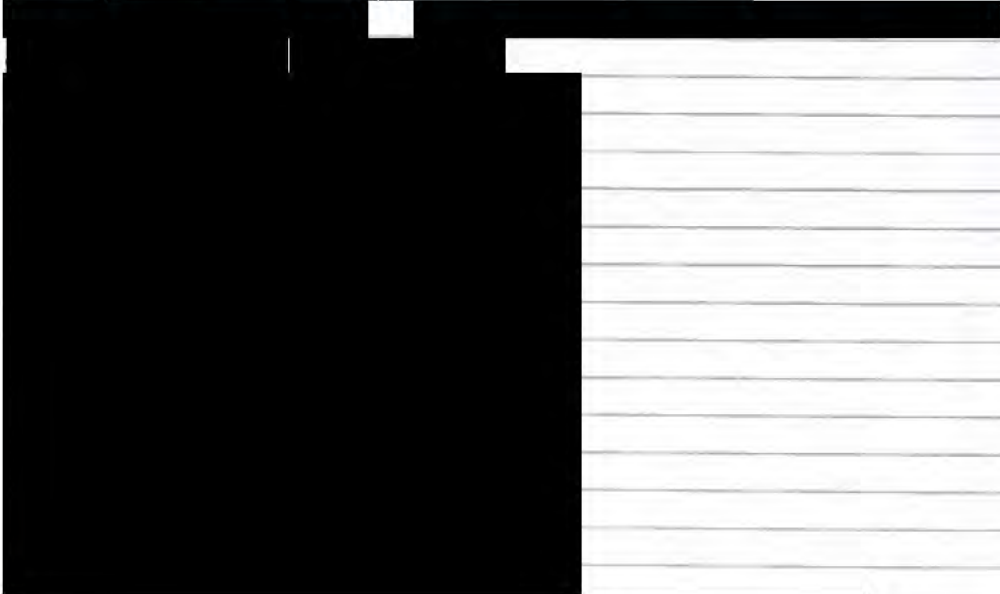

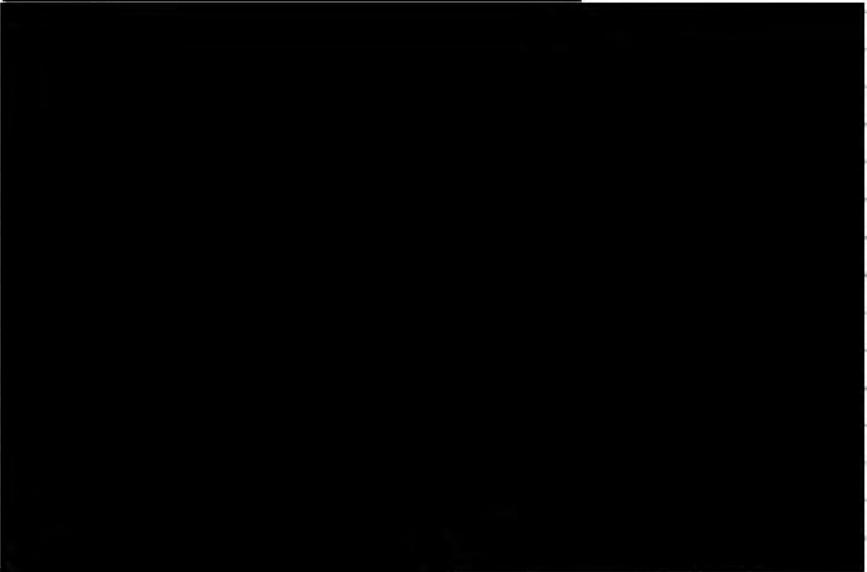

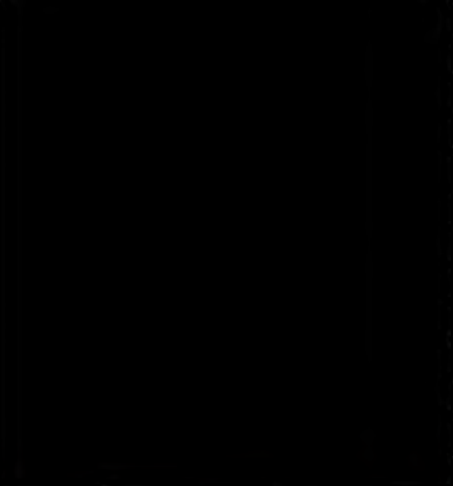

On 10/6/17 all NFORCE Reports of Investigation were searched for the following terms:

pump fire	see worksheet
pump fire systems	negative
pump stock	see worksheet
pumpfiresystems	negative
slide fire	see worksheet
slide fire stock	see worksheet
slidefire	see worksheet
slidefire.com	negative
slidefiresolutions	negative

On 10/6/17 all NFORCE property in ATF Custody was searched for the following terms:

pump	See Evidence in ATF Custody
slide fire	See Evidence in ATF Custody
slidefire	See Evidence in ATF Custody

CaseNumber	OpenDate	CloseDate
168012-16-0001	6/27/2016	11/10/2016
760510-17-0036	4/5/2017	
760525-15-0011	12/3/2014	9/17/2015
760525-15-0022	3/26/2015	
760540-13-0034	1/23/2013	5/9/2017
760540-13-0063	4/30/2013	11/14/2013
761015-13-0079	6/27/2013	10/28/2014
762045-11-0052	9/20/2011	6/8/2015
762050-13-0037	7/16/2013	3/18/2014
763055-12-0016	10/24/2011	1/18/2017
763055-14-0035	6/16/2014	2/11/2015
763055-16-0077	4/9/2016	
763056-14-0012	3/7/2014	4/10/2017
763065-13-0006	6/24/2013	
763070-14-0084	6/30/2014	
764040-17-0028	2/9/2017	
764055-15-0013	12/12/2014	
765045-16-0041	9/19/2016	
766080-16-0008	10/16/2015	
767010-15-0032	4/14/2015	2/6/2017
767015-14-0006	10/9/2013	
767020-15-0018	12/3/2014	7/6/2015
767030-12-0051	5/14/2012	1/26/2015
767040-13-0001	7/12/2013	7/17/2013
767045-13-0094	5/16/2013	10/18/2016
767045-14-0051	3/5/2014	3/24/2014
767045-14-0061	4/7/2014	11/20/2014
768025-15-0043	3/25/2015	
768045-14-0023	9/2/2014	
771040-10-0081	8/19/2010	11/29/2016
772020-11-0079	9/2/2011	11/9/2015
773011-15-0021	6/26/2015	
773020-12-0065	7/16/2012	6/25/2014
773020-15-0029	12/17/2014	8/24/2015
773025-11-0024	1/21/2011	9/18/2011
773045-12-0020	11/18/2011	8/20/2012
773050-11-0019	1/10/2011	10/7/2016
773060-13-0001	1/30/2013	8/28/2013
774040-04-0001	11/24/2003	3/8/2004
775010-07-0016	1/11/2007	1/6/2012
775015-15-0032	2/25/2015	
775016-12-0034	8/20/2012	7/9/2016
775016-16-0013	2/19/2016	
775070-14-0043	4/3/2014	8/12/2014

Title	CaseAgent	PP
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CaseStatus	restricted	
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OPEN	NO	slide fire
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CLOSED	NO	bump stock
OPEN	YES	slide fire
CLOSED	NO	bump fire
CLOSED	NO	bump fire
CLOSED	NO	bump stock
CLOSED	NO	slide fire
CLOSED	NO	bump stock
CLOSED	NO	slide fire stock
OPEN	NO	bump stock
OPEN	NO	slide fire
CLOSED	NO	slide fire stock
CLOSED	YES	bump fire
OPEN	NO	bump fire
CLOSED	NO	slide fire stock
CLOSED	NO	slide fire
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CLOSED	NO	slide fire stock
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OPEN	NO	bump fire
CLOSED	NO	bump stock
OPEN	NO	bump stock
CLOSED	NO	slide fire stock

775070-14-0063	8/15/2014	2/13/2017
775075-14-0031	7/14/2014	7/15/2014
776010-16-0075	4/7/2016	
776025-10-0120	9/27/2010	4/9/2014
776025-12-0003	10/3/2011	7/24/2015
776030-15-0024	2/19/2015	2/14/2017
776045-09-0033	1/29/2009	10/23/2009
776045-15-0082	8/28/2015	
776045-16-0142	9/26/2016	
776075-16-0001	2/10/2016	
777010-15-0087	9/16/2015	
777015-07-0020	12/5/2006	
777025-13-0073	1/24/2013	5/17/2013
777030-16-0001	12/9/2015	3/7/2016
777035-17-0050	7/31/2017	
777055-13-0001	7/16/2013	2/25/2015
778050-15-0026	1/16/2015	6/6/2017
778070-08-0015	12/7/2007	2/20/2008
779010-06-0153	5/16/2006	9/19/2011
779010-09-0001	1/5/2009	2/4/2009
779010-15-0029	1/15/2015	5/5/2016
779010-16-0051	1/29/2016	
779010-16-0089	6/14/2016	
779045-09-0002	2/9/2009	2/20/2009
779050-17-0003	9/19/2016	4/20/2017
781035-12-0120	9/24/2012	6/25/2014
781040-12-0055	2/6/2012	9/9/2013
781040-12-0062	2/15/2012	4/9/2013
781040-17-0017	10/27/2016	
781070-14-0023	3/21/2014	
781070-16-0113	9/28/2016	
781070-17-0005	10/14/2016	
781115-14-0026	2/3/2014	12/1/2014
781120-13-0042	6/3/2013	10/25/2013
781120-14-0016	11/18/2013	1/20/2017
781120-15-0001	12/16/2014	3/11/2015
781120-15-0019	1/20/2015	6/8/2016
781120-15-0054	5/29/2015	3/21/2017
782010-09-0146	9/9/2009	9/17/2010
782010-12-0123	8/28/2012	2/25/2013
782015-12-0001	6/8/2012	6/25/2012
782040-13-0005	12/12/2012	2/22/2016
782055-12-0057	9/18/2012	1/27/2017
782080-11-0046	5/20/2011	6/22/2015
782080-13-0037	3/18/2013	6/19/2013

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CLOSED	NO	bump fire
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OPEN	NO	bump stock
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CLOSED	NO	bump fire
CLOSED	NO	bump fire
CLOSED	NO	slidefire
OPEN	NO	slide fire
OPEN	NO	bump fire
CLOSED	NO	bump fire
CLOSED	NO	bump fire
CLOSED	NO	bump fire
CLOSED	NO	slide fire
CLOSED	NO	slide fire stock
OPEN	NO	slide fire stock
OPEN	NO	bump stock
OPEN	NO	bump stock
OPEN	NO	bump fire
CLOSED	NO	bump stock
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CLOSED	NO	bump stock
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CLOSED	NO	bump fire



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**Charges Recommended for Prosecution in Cases Involving Some Form of "Bump Stock"****Statute**

18 USC 371

21 USC 841(a)(1)

18 USC 922(g)(1)

21 USC 846

18 USC 922(a)(1)(A)

18 USC 924(c)

**RICO**

18 USC 922(d)(1)

18 USC 924(a)(1)(A)

26 USC 5861(d)

18 USC 922(a)(6)

18 USC 554

18 USC (2)

**OTHER GENERAL CHARGES**

18 USC 922(g)(3)

**FIREARMS OTHER**

18 USC 922(a)(5)

18 USC 922(g)(5)

18 USC 922(o)

18 USC 922(k)

18 USC 922(j)

26 USC 5861(e)

**NARCOTICS (FEDERAL OR STATE)**

18 USC 2342, 2343

26 USC 5861(f)

26 USC 5861(i)

18 USC 1001

18 USC 922(d)(5)

18 USC 922(e)

26 USC 5861

26 USC 5861(c)

18 USC 1343

18 USC 1512

18 USC 1513

18 USC 922(m)

18 USC 924(n)

**ARMED DRUG / VIOLENT CRIME****PAROLE/PROBATION VIOLATIONS**

18 USC (4)

18 USC 1951

18 USC 842(i)



Charge Description	T
Conspiracy to commit offense against U.S.	109
Mfg., distribute, or possess controlled substance	101
Possession of firearm/ammunition by convicted felon	95
Drug Conspiracy	93
Dealing firearms without license	62
Use of firearm in Federal drug/violent crime	53
RICO	30
Sale of firearms to felon or person under indictment	29
Cause FFL to falsify records	29
Receive/possess NFA firearm not registered in NFRTR	29
Falsified information when buying firearms	26
Smuggling goods from the United States	21
Aiding and Abetting	18
Other General Charges	18
Possession of firearm by drug user	14
Firearms Other	14
Transfer firearm to out-of-state resident	13
Possession of firearm by illegal alien	13
Possess/transfer machinegun unlawfully	12
Rec./ship/tran FA with obliterated Ser. No.	9
Possession of stolen firearm	7
Transfer a NFA firearm in violation	7
Narcotics (Federal or State)	7
Tobacco trafficking	6
Manufacturing NFA weapon without paying special occupational tax	6
Receive/possess NFA firearm not identified by serial number	5
False statement	4
Sale of firearms to illegal alien	4
Carrier not notified of firearm shipment	4
NFA violations	4
Receive/possess NFA firearm made in violation	4
Fraud by wire, radio, or television	3
Tampering with a Witness	3
Threatening a witness	3
FFL omit or falsify required information	3
Interstate travel in furtherance of 922(a)(1)(A)	3
Armed Drug / Violent Crime	3
Parole/Probation Violations	3
Misprison of a Felony	2
Interference with commerce by threats/violence/robbery (Hobbs Act)	2
Receive/trans by prohibited person	2

18 USC 922(a)(3)
26 USC 5861(a)
18 USC 1958
18 USC 473
18 USC 545
18 USC 922(g)(5)(B)
18 USC 922(g)(9)
18 USC 922(l)
18 USC 922(n)
18 USC 922(u)
18 USC 924(h)
21 USC 843(b)
21 USC 844(a)
26 USC 5861(h)
26 USC 5861(j)
26 USC 5861(k)
Grand Total

Unlawful Interstate Receipt of Firearms	2
Dealing in NFA firearms without having paid SOT	2
Use of interstate commerce in commission of murder for hire	1
Dealing in Counterfeit Obligations or Securities	1
Smuggling goods into the United States	1
Ship/transport to or possess/receive any firearms/ammunition by any person under non-immigrant visa	1
Possession of firearm after domestic abuse charge	1
Unlawful importation of firearms	1
Rec./ship/tran FA after indictment	1
Theft of FA from FFL	1
Transfer firearm to be used to commit crime of violence / drug trafficking	1
Use of a communication device in furtherance of drug trafficking	1
Possession of a controlled substance (misdemeanor)	1
Receive/possess NFA firearm without serial number obliterated/altered	1
Transport/deliver/receive NFA firearm in interstate commerce which had not been registered	1
Receive/possess NFA firearm imported in violation	1
	891



Case Id	Case Number	Case Title	Case Status	Case Agent Username	Field Division Name
526152	788030-15-0047		Closed		Denver Field Division
496944	768045-14-0023		Open		Washington Field Division
557959	762060-16-0022		Open		Boston Field Division
503853	768025-15-0018		Open		Washington Field Division
432342	787035-12-0073		Open		Seattle Field Division
481012	784090-14-0009		Open		Los Angeles Field Division
459850	785121-13-0022		Closed		Phoenix Field Division
513109	762025-15-0021		Open		Boston Field Division
419524	776025-12-0003		Closed		Nashville Field Division
481012	784090-14-0009		Open		Los Angeles Field Division
491479	763055-14-0035		Closed		Charlotte Field Division
564912	765045-16-0041		Open		New York Field Division

AR000683



Field Office Name	Propty Description
Cheyenne Field Office	1 BOX FOR A "SSARE-15 SBS SLIDE FIRE RIFLE STOCK"
Roanoke Field Office	ASSORTED MAGAZINES FOR AK'S, AR15, 22, (19 MAGS) AND SLIDE FIRE STOCK, AK DRUM MAG
New Haven Field Office	BUMPFIRE SYSTEMS AR-15 BUMPFIRE STOCK
Norfolk Field Office	ITEM #21 ON TAB, AR15 BUMPFIRE STOCK
Eugene Field Office	NEWSPAPER ADVERTISEMENT TAKEN OUT BY 2ND AMENDMENT GUNS ADVERTISING BUMP FIRING STOCKS FOR SALE, ADMITTED TO BEING WRITTEN BY CLOW.
San Diego IV Field Office	ONE (1) SLIDE FIRE AR STOCK
Las Cruces Field Office	ONE BOX LABELED "SLIDE FIRE" FOR A SSAK-47 XRS FIREARM
Bridgewater Field Office	SHIPPING ENVELOPE CONTAINING AR15 BUMPFIRE STOCK
Chattanooga Field Office	SLIDE FIRE SOLUTIONS SSAR-15 OGR
San Diego IV Field Office	SLIDEFIRE SSAR-15 COLLAPSIBLE STOCK, PACKAGED IN MANUFACTURERS FACTORY PACKAGING
Greenville Field Office	TRIGGER BUMP MECHANISM
New York III / Hudson Valley Field Office	VARIOUS FIREARM PARTS AND ACCESSORIES (INCLUDING ONE AR BUMP-FIRE STOCK, TWO RED DOT SIGHTS AND TWO AR BOLTS).

AR000684

**From:** [Thomas.Brandon@atf.gov](mailto:Thomas.Brandon@atf.gov)  
**To:** [REDACTED]  
**Subject:** Re: Bump Stocks  
**Date:** Friday, October 6, 2017 12:08:38 PM

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Thanks, Jim. At FTB now. Came to shoot it myself. I'm very concerned about public safety and share your view.  
Have a nice day, Tom

Sent from my iPhone

> On Oct 6, 2017, at 11:24 AM, Jim Cavanaugh [REDACTED] wrote:  
>  
> Tom;  
>  
> Just to help you guys. Sometimes you need an outside view. Here is mine on Bump Stocks.  
>  
> The trigger is only pulled once, by human action, when the shooter pulls the barrel forward and the first round is expelled.  
>  
> After that the trigger finger never changes "GPS" position, and it is never pulled back again by human action, rather the whole receiver recoils instead of the bolt....  
>  
> Clearly it could and should come under the NFA....  
>  
> I know you know all this stuff,...I recommend an overruling of the prior decision and putting it under the NFA....  
>  
> Regardless of what Congress does or does not do...  
>  
> You can do it fast and it is the right thing to do, don't let the technical experts take you down the rabbit hole,  
>  
> When they say, "simulates full auto..." . "  
> that is a distinction without a difference...  
>  
>  
> "Talk Crime Anytime"  
>  
> Jim Cavanaugh  
> NBC/msnbc Law Enforcement Analyst  
> ATF Special Agent in Charge (Retired)  
> [REDACTED]  
>

AR000685

Regina Lombardo  
Acting Deputy Director

# October 6, 2017

Friday

October 2017						
Su	Mo	Tu	We	Th	Fr	Sa
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November 2017						
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FRIDAY		Notes
6	ADD Turk - Military Leave Betty - Sick Leave Franco Frande - Acting AD (OM)	
6 <sup>AM</sup>		
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9	Acting Director Brandon - National Trading Center Martinsburg, WV	
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**Cc:** Allen, Joseph J. [REDACTED] Gross, Charles R. [Charles.Gross@atf.gov]  
**To:** Brandon, Thomas E. [Thomas.Brandon@atf.gov]  
**From:** Turk, Ronald B.  
**Sent:** Fri 10/6/2017 12:23:11 AM  
**Subject:** Fwd: Analysis  
Counsel Memo to OAG re 'Bump Fire' Stocks 10-5-17.docx  
ATT00001.htm

Sir, attached analysis was forwarded to OLC. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

If you concur, I propose to assemble a working group from EPS (FATD), CC, Ops and others [REDACTED]

[REDACTED]

Chuck - another legal issue I was thinking on regards Congressional intent with the 1986 statute relating to machine guns. There was, in my opinion, a clear legislative intent to keep future machine guns out of the public realm. Any devices such a bump fire stocks, [REDACTED] effectively create machine gun-like fire and arguably should not be allowed.

Ron

Begin forwarded message:

**From:** "Allen, Joseph J." [REDACTED]  
**Date:** October 5, 2017 at 6:56:07 PM EDT  
**To:** "Turk, Ronald B." <Ronald.Turk@atf.gov>  
**Subject:** Analysis

AR000687



Ron, This is the analysis we sent for OLC review.

Will call.

Joe



U.S. Department of Justice

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

*Office of Chief Counsel*

Washington, DC 20226

[www.atf.gov](http://www.atf.gov)

October 5, 2017

200000:EME

MEMORANDUM TO: Office of the Attorney General  
United States Department of Justice

FROM: Chief Counsel  
Bureau of Alcohol, Tobacco, Firearms and Explosives

SUBJECT: Legality of "Bump-Fire" Rifle Stocks

[REDACTED]

[REDACTED] Since 2008, ATF has issued private letter determinations to nine manufacturers of "bump-fire"-type devices advising the manufacturers that the devices submitted for review were not classified as machineguns for purposes of Federal law. These letters were issued after ATF firearm experts conducted a technical evaluation of a voluntarily submitted prototype<sup>1</sup> of each device to determine whether the device enabled a semi-automatic firearm to discharge more than one shot with a single function of the trigger, and therefore fell within the statutory definition of a machinegun. The key factor in making the determination that these "bump-fire" devices did not fall within the statutory machinegun definition was whether the device artificially enhanced the rate of fire by using a mechanical feature, as opposed to facilitating a shooter's ability to physically pull the trigger at a higher rate than would be possible without the device. In the former case, the device was typically classified as a machinegun. In the latter case, it typically was not.

[REDACTED]

#### Relevant Background

<sup>1</sup> ATF does not have authority to require manufacturers to submit prototypes of firearm accessories for review to determine if the accessory should be classified as a firearm subject to federal regulation.

PREDECISIONAL - ATTORNEY-CLIENT PRIVILEGED COMMUNICATION

AR000689



- 2 -

## Office of the Attorney General

As amended by the Firearm Owners Protection Act of 1986, the GCA at 18 U.S.C. § 922(o) prohibits the transfer or possession of a “machinegun” except by government agencies and those lawfully possessed before May 19, 1986 and registered in the National Firearms Registration and Transfer Record (NFRTR) in accordance with the NFA, 26 U.S.C. § 5841. Unregistered machineguns are also prohibited from being possessed and transferred under the NFA, 26 U.S.C. 5861(d), (e). A “machinegun” is defined under the NFA and GCA as follows:

[A]ny weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term shall also include the frame or receiver of any such weapon, any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled, if such parts are in the possession or under the control of a person.

26 U.S.C. § 5845(b); 18 U.S.C. § 921(a)(23); *see also* 27 C.F.R. § 478.11 (stating same).

In August of 2003, a prototype of a device called the “Akins Accelerator” was submitted to ATF for classification.<sup>2</sup> Initially, ATF classified that device as a non-machinegun, which was consistent with a 1989 evaluation of a firearm with a “two-stage trigger,” (*i.e.*, causing a shot to be fired when the trigger was depressed and a shot fired when the trigger was released). ATF had determined such firearms were not machineguns because the phrase “single function of the trigger” meant a single *movement* of the trigger; the two-stage trigger moved twice. However, after a subsequent test fire, ATF determined the Akins device converted a semiautomatic rifle into a weapon capable of firing automatically by a single function of the trigger and was, therefore, a machinegun. ATF’s classification letter stated, “it is the position of this agency that conversion parts that are designed and intended to convert a weapon into a machinegun, that is, one that will shoot more than one shot, without manual reloading, by a single *pull* of the trigger, are regulated as machineguns under the National Firearms Act and the Gun Control Act.” Simply put, the device was a machinegun because once the trigger was pulled, the firearm continued to shoot until the trigger pressure was removed or the ammunition was exhausted.

Concerned about the public safety implications if these devices were sold without oversight, ATF issued Ruling 2006-2, which holds that trigger activating devices that require only one pull of the trigger to initiate a repeating cycle of fire, such as the Akins Accelerator, are properly classified as machineguns. The Ruling explained that these devices were machineguns because they are parts designed and intended to convert a weapon into a machinegun, *i.e.*, a weapon that will shoot automatically more than one shot, without manual reloading, by a single function of the trigger. The Ruling cited legislative history of the NFA as authority for equating the phrase “single function of the trigger” with “single pull of the trigger.”<sup>3</sup>

<sup>2</sup> The Akins Accelerator was an accessory firearm stock that, once attached to a Ruger 10/22 semiautomatic rifle, accelerated the rifle’s rate of fire. The shooter pulled the trigger one time, which initiated an automatic firing sequence that causes the rifle to recoil within the stock permitting the trigger to lose contact with the finger and manually reset, springs then force the rifle forward in the stock, forcing the trigger against the finger, causing the weapon to automatically discharge the ammunition until the shooter released the trigger or the ammunition is exhausted. Put another way, the device caused the firearm to cycle back and forth, impacting the trigger finger—which remained stationary—and firing the firearm automatically. The advertised rate of fire for a weapon with the Akins Accelerator was 650 rounds per minute.

<sup>3</sup> Hearings before the Committee on Ways and Means, House of Representatives, 73rd Cong., Second Sess. on H.R. 9066 at 40



- 3 -

Office of the Attorney General

Mr. Akins then sued ATF, and ultimately the Eleventh Circuit upheld ATF's classification of this device, explaining as follows:

A machinegun is a weapon that fires "automatically more than one shot, without manual reloading, by a single function of the trigger." 26 U.S.C. § 5845(b). The interpretation by the Bureau that the phrase "single function of the trigger" means a "single pull of the trigger" is consonant with the statute and its legislative history. After a single application of the trigger by a gunman, the Accelerator uses its internal spring and the force of recoil to fire continuously the rifle cradled inside until the gunman releases the trigger or the ammunition is exhausted. Based on the operation of the Accelerator, the Bureau had authority to "reconsider and rectify" what it considered to be a classification error. That decision was not arbitrary and capricious.

*Akins v. United States*, 312 F. App'x 197, 200 (11<sup>th</sup> Cir. 2009).

In contrast, in 2008, ATF had examined a shoulder-stock device that relied on the shooter to apply forward pressure on the fore-end of the firearm and timed to contact the trigger finger on the firing hand. ATF concluded that this device wasn't a machinegun because it was "incapable of initiating an automatic firing cycle that continues until either the finger is released or the ammunition supply is exhausted." Similarly, in 2010, ATF examined a replacement shoulder stock for the AR-15 type rifle the stated intent of which was to assist persons whose hands have limited mobility to "bump-fire" an AR-15 rifle. ATF concluded that this device was *not* a machinegun because, unlike the springs in the Akins Accelerator, it had "no automatically functioning mechanical parts or springs and performs no automatic mechanical function when installed." The classification further explained that, in order to use the installed device, "the shooter must apply constant forward pressure with the non-shooting hand and constant rearward pressure with the shooting hand."

### Analysis

(1934) ("The distinguishing feature of a machine gun is that by a single pull of the trigger the gun continues to fire as long as there is any ammunition in the belt or in the magazine. Other guns require a separate pull of the trigger for every shot fired, and such guns are not properly designated as machine guns."); see also *Staples v. United States*, 511 U.S. 600, 600 (1994) ("The National Firearms Act criminalizes possession of an unregistered 'firearm,' 26 U.S.C. § 5861(d), including a 'machinegun,' § 5845(a)(6), which is defined as a weapon that automatically fires more than one shot with a single pull of the trigger, § 5845(b).").

<sup>4</sup> Cf. *U.S. v. Olofson*, 563 F.3d 652, 658 (7th Cir. 2009) ("Thus defined, in § 5845(b) the adverb 'automatically,' as it modifies the verb 'shoots,' delineates how the discharge of multiple rounds from a weapon occurs: as the result of a self-acting mechanism. That mechanism is one that is set in motion by a single function of the trigger and is accomplished without manual reloading.")

**PREDECISIONAL - ATTORNEY-CLIENT PRIVILEGED COMMUNICATION**

AR000691



- 4 -

Office of the Attorney General

[REDACTED]

If you have any questions, I can be reached at 202-648-[REDACTED]

[REDACTED]

PREDECISIONAL - ATTORNEY-CLIENT PRIVILEGED COMMUNICATION

AR000692

- 5 -

Office of the Attorney General

Charles R. Gross

**PREDECISIONAL - ATTORNEY-CLIENT PRIVILEGED COMMUNICATION**

AR000693

To: Gleysteen, Michael[Mike.P.Gleysteen@atf.gov]; Richardson, Marvin G [REDACTED]  
From: Turk, Ronald B.  
Sent: Fri 10/6/2017 12:45:23 AM  
Subject: Fwd: Analysis  
Counsel Memo to OAG re 'Bump Fire' Stocks 10-5-17.docx  
ATT00001.htm

Gentlemen, for your eyes only / please do not forward or reproduce. Wanted you to be entirely in the loop on what we sent to DOJ, and what my thoughts are. [REDACTED]

Ron

Begin forwarded message:

From: "Turk, Ronald B." <Ronald.Turk@atf.gov>  
Date: October 5, 2017 at 8:23:10 PM EDT  
To: "Brandon, Thomas E." <Thomas.Brandon@atf.gov>  
Cc: "Allen, Joseph J." <[REDACTED]>, "Gross, Charles R." <Charles.Gross@atf.gov>  
Subject: Fwd: Analysis

Sir, attached analysis was forwarded to OLC. [REDACTED]

If you concur, I propose to assemble a working group from EPS (FATD), CC, Ops and others

[REDACTED]

Chuck - another legal issue I was thinking on regards Congressional intent with the 1986 statute relating to machine guns. There was, in my opinion, a clear legislative intent to keep future machine guns out of the public realm. Any devices such a bump fire stocks, [REDACTED] effectively create machine gun-like fire and arguably should not be allowed.

Ron

Begin forwarded message:

**From:** "Allen, Joseph J." <[REDACTED]>  
**Date:** October 5, 2017 at 6:56:07 PM EDT  
**To:** "Turk, Ronald B." <[Ronald.Turk@atf.gov](mailto:Ronald.Turk@atf.gov)>  
**Subject:** Analysis

Ron, This is the analysis we sent for OLC review.

Will call.

Joe



**To:** Richardson, Marvin G. [REDACTED]  
**From:** Turk, Ronald B.  
**Sent:** Fri 10/6/2017 12:17:50 PM  
**Subject:** Re: Analysis

Agreed.....thanks Marvin

On Oct 5, 2017, at 10:15 PM, Richardson, Marvin G. [REDACTED] wrote:

Sir  
[REDACTED]

Sent from my iPad

On Oct 5, 2017, at 5:45 PM, Turk, Ronald B. <[Ronald.Turk@atf.gov](mailto:Ronald.Turk@atf.gov)> wrote:

Gentlemen, for your eyes only / please do not forward or reproduce. Wanted you to be entirely in the loop on what we sent to DOJ, and what my thoughts are. Your insight will be valuable as career agents that manage the areas highly affected by these issues. [REDACTED]

Ron

Begin forwarded message:

**From:** "Turk, Ronald B." <[Ronald.Turk@atf.gov](mailto:Ronald.Turk@atf.gov)>  
**Date:** October 5, 2017 at 8:23:10 PM EDT  
**To:** "Brandon, Thomas E." <[Thomas.Brandon@atf.gov](mailto:Thomas.Brandon@atf.gov)>  
**Cc:** "Allen, Joseph J." <[REDACTED]>, "Gross, Charles R." <[Charles.Gross@atf.gov](mailto:Charles.Gross@atf.gov)>  
**Subject:** Fwd: Analysis

Sir, attached analysis was forwarded to OLC. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

If you concur, I propose to assemble a working group from EPS (FATD), CC, Ops and others [REDACTED]

Chuck - another legal issue I was thinking on regards Congressional intent with the 1986 statute relating to machine guns. There was, in my opinion, a clear legislative intent to keep future machine guns out of the public realm. Any devices such a bump fire stocks, [REDACTED] effectively create machine gun-like fire and arguably should not be allowed.

Ron

Begin forwarded message:

From: "Allen, Joseph J." <[REDACTED]>  
Date: October 5, 2017 at 6:56:07 PM EDT  
To: "Turk, Ronald B." <[Ronald.Turk@atf.gov](mailto:Ronald.Turk@atf.gov)>  
Subject: Analysis

Ron, This is the analysis we sent for OLC review.

AR000697

Will call.

Joe

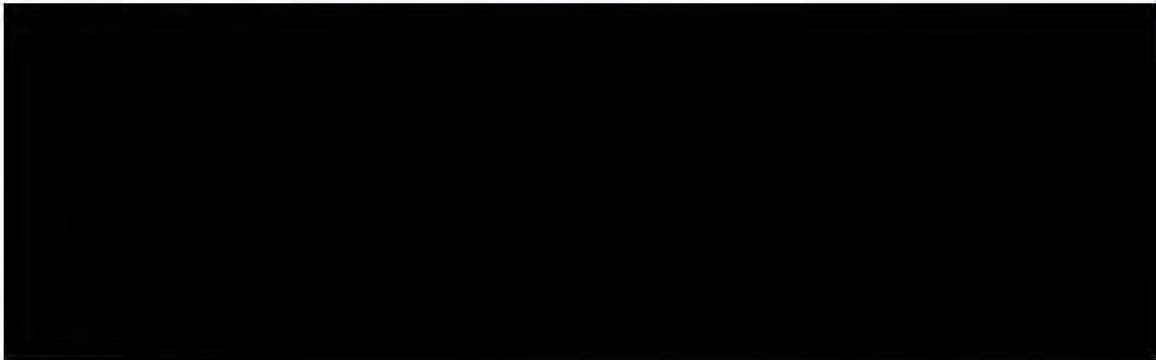
<Counsel Memo to OAG re 'Bump Fire' Stocks 10-5-17.docx>

**To:** Gleysteen, Michael[Mike.P.Gleysteen@atf.gov]  
**From:** Turk, Ronald B.  
**Sent:** Fri 10/6/2017 12:30:58 PM  
**Subject:** Re: Analysis

Thanks Michael

On Oct 6, 2017, at 8:29 AM, Gleysteen, Michael <[Mike.P.Gleysteen@atf.gov](mailto:Mike.P.Gleysteen@atf.gov)> wrote:

Good morning sir –



Michael

---

**From:** Richardson, Marvin G.  
**Sent:** Thursday, October 05, 2017 10:16 PM  
**To:** Turk, Ronald B. <[Ronald.Turk@atf.gov](mailto:Ronald.Turk@atf.gov)>  
**Cc:** Gleysteen, Michael <[Mike.P.Gleysteen@atf.gov](mailto:Mike.P.Gleysteen@atf.gov)>  
**Subject:** Re: Analysis

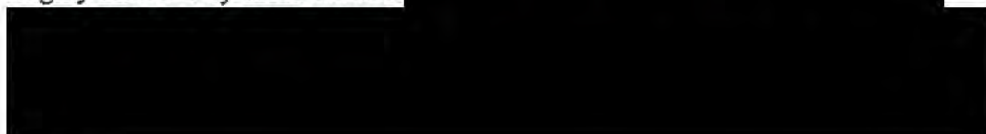
Sir,



Sent from my iPad

On Oct 5, 2017, at 5:45 PM, Turk, Ronald B. <[Ronald.Turk@atf.gov](mailto:Ronald.Turk@atf.gov)> wrote:

Gentlemen, for your eyes only / please do not forward or reproduce. Wanted you to be entirely in the loop on what we sent to DOJ, and what my thoughts are. Your insight will be valuable as career agents that manage the areas highly affected by these issues.



Ron



Begin forwarded message:

**From:** "Turk, Ronald B." <[Ronald.Turk@atf.gov](mailto:Ronald.Turk@atf.gov)>

**Date:** October 5, 2017 at 8:23:10 PM EDT

**To:** "Brandon, Thomas E." <[Thomas.Brandon@atf.gov](mailto:Thomas.Brandon@atf.gov)>

**Cc:** "Allen, Joseph J." [REDACTED], "Gross, Charles R." <[Charles.Gross@atf.gov](mailto:Charles.Gross@atf.gov)>

**Subject:** Fwd: Analysis

Sir, attached analysis was forwarded to OLC. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

If you concur, I propose to assemble a working group from EPS (FATD), CC, Ops and others [REDACTED]

[REDACTED]

Chuck - another legal issue I was thinking on regards Congressional intent with the 1986 statute relating to machine

guns. There was, in my opinion, a clear legislative intent to keep future machine guns out of the public realm. Any devices such a bump fire stocks, [REDACTED] effectively create machine gun-like fire and arguably should not be allowed.

Ron

Begin forwarded message:

**From:** "Allen, Joseph J." [REDACTED]  
**Date:** October 5, 2017 at 6:56:07 PM EDT  
**To:** "Turk, Ronald B." <[Ronald.Turk@atf.gov](mailto:Ronald.Turk@atf.gov)>  
**Subject:** Analysis

Ron, This is the analysis we sent for OLC review.

Will call.

Joe

<Counsel Memo to OAG re 'Bump Fire' Stocks 10-5-17.docx>

**To:** Brandon, Thomas E. [Thomas.Brandon@atf.gov]  
**Cc:** Allen, Joseph J. [REDACTED]  
**From:** Griffith, Earl L.  
**Sent:** Sat 10/7/2017 3:58:05 PM  
**Subject:** Re: ICYMI: The ATF Green Lit Bump Stocks Under Obama - Matt Vespa

The video won't download perhaps because of poor service out here in Western IL. If it is a bump fire technique that doesn't use any type of device and just your finger than I have seen it. The technique can be perfected with practice, however not as reliable as with a device. I'll try to find it on a YouTube video.

Sent from my iPhone

> On Oct 7, 2017, at 8:26 AM, Brandon, Thomas E. <Thomas.Brandon@atf.gov> wrote:  
>  
> Joe/Earl, check out the video in the article.  
>  
> Earl, have you ever seen, heard, or used the shooting technique displayed in the video?  
>  
> Thanks,  
>  
> Tom  
>  
> <https://townhall.com/tipsheet/mattvespa/2017/10/05/on-bump-stocks-they-shouldnt-be-banned-atf-signed-off-on-it-and-obama-green-l-n2390745>  
>  
>  
> Sent from my iPad



**To:** Brandon, Thomas E. [Thomas.Brandon@atf.gov]  
**Cc:** Allen, Joseph J. [REDACTED]  
**From:** Griffith, Earl L.  
**Sent:** Sat 10/7/2017 4:27:39 PM  
**Subject:** Re: Bump Firing Pistol - YouTube

Finally downloaded, I have not seen any of our folks duplicate the pistol bump fire. Several of the guys are very good with an AR type firearm.

Sent from my iPhone

> On Oct 7, 2017, at 9:08 AM, Brandon, Thomas E. <Thomas.Brandon@atf.gov> wrote:  
>  
> Earl, understand bump firing now. Thanks, Tom  
>  
> <https://m.youtube.com/watch?v=8Zo5ju4EVLc>  
>  
>  
> Sent from my iPad

To: Griffith, Earl L [REDACTED] Kingery, Max M [REDACTED] Curtis, Michael  
R. [REDACTED] Richardson, Marvin G [REDACTED] Gilbert, Curtis  
W [REDACTED]  
Cc: Allen, Joseph J [REDACTED]  
From: Powell, Michael [REDACTED]  
Sent: Wed 10/11/2017 12:39:17 PM  
Subject: Vasquez' Slide Fire Analysis Position Paper  
Vasquez Slide Fire Analysis.pdf

In case you haven't already seen this.

Please see attachment.

R/s,

---

**Michael C. Powell**

Firearms Technology Specialist  
Firearms & Ammunition Technology Division  
Bureau of Alcohol, Tobacco, Firearms & Explosives  
244 Needy Road  
Martinsburg, WV 25405  
Office: (304) 616-[REDACTED]  
Fax: (304) 616-4301

AR000704

Slide Fire Analysis  
Rick Vasquez

When ATF makes a classification on any device, part, or firearm, the classification is based on the definitions in the Gun Control Act (GCA) and the National Firearms Act (NFA). Also, classifications are based on any previous Rulings or court decisions based on the GCA and the NFA.

The task of making evaluations is relegated to the Firearms Technology Branch (FTB). As the senior Technical Expert for ATF it was my role to render an opinion or concur or disagree with opinions rendered by technicians of the FTB. In relation to the Slide Fire examination, since it was submitted as a device that would enhance the rate of fire of an AR type firearm, the predominant definition used by FTB for classification was the definition of a machinegun

The complete definition of a machinegun is as follows:

*As defined in 26 United States Code, Chapter 53, section 5845(b) **Machinegun**. The term '**machinegun**' means any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term shall also include the frame or receiver of any such weapon, *any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled if such parts are in the possession or under the control of a person.**

The first sentence of the definition of a machinegun designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger, is the basis for the determination that a slide fire stock is not a machinegun. Additionally, it was not classified as, *any part designed and intended solely and exclusively, or combination of parts designed and intended for use in converting a weapon into a machinegun, a conversion device.*

Another key component in determining what should be classified as a machinegun is understanding what a single function of the trigger is. Pulling and releasing of the trigger is two functions. The single function is pulling the trigger straight to the rear and causing a weapon to fire. If a shooter initially pulls and holds the trigger to the rear and a firearm continues to shoot continuously, that is a firearm shooting



more than one shot with the single function of a trigger. This is critical to understanding why or why not a firearm is classified as a machinegun.

The Slide Fire does not fire automatically with a single pull/function of the trigger. It is designed to reciprocate back and forth from the inertia of the fired cartridge. When firing a weapon with a Slide Fire, the trigger finger sits on a shelf and the trigger is pulled into the trigger finger. Once the rifle fires the weapon, due to the push and pull action of the stock and rifle, the rifle will reciprocate sufficiently to recock and reset the trigger. It then reciprocates forward and the freshly cocked weapon fires again when the trigger strikes the finger on its forward travel.

After lengthy analysis, ATF could not classify the slide fire as a machinegun or a machinegun conversion device, as it did not fit the definition of a machinegun as stated in the GCA and NFA.

#### Method of Evaluation:

An item that has been submitted for classification is logged in and assigned to a firearm enforcement officer (technician) for evaluation and classification. A tracking number is assigned and it awaits its place in the queue.

The following are procedures for how items were evaluated when I was a member of the Firearms Technology Branch. There may have been changes to those processes so I can only speak to the processes during the timeframe that I was employed at FTB.

Firearms and firearm-related accessories are submitted to the FTB for analysis from the public and firearms industry. The item is generally accompanied by a letter of request on how the submitter wants the item to be classified as. There are many categories of classification. For example: Is it an importable firearm? Is it a sporting firearm? Will it shoot automatically and be classified as a machinegun? Does a component fit the definition of an accessory or a firearm, and so forth.

Housed in the FTB are Standard Operation Procedures (SOPs) that memorialize the method of evaluation for most things that are submitted. Once a technician begins the evaluation, he will follow these SOPs in his evaluation. Many of the items submitted are redundant and have been seen time and time again. These items are reviewed and approved by the supervisor and the evaluation is over. For example, handguns for importation have a factoring criteria that must meet certain points to be imported.



Items such as the Slide Fire bump fire stock is a device that would have had additional scrutiny, especially since a device of this nature had not been previously approved. Once again, any evaluation is based on the definitions held in the GCA, NFA, previous opinions and rulings. These laws were implemented by Congress. Rulings and opinions were authored by council with input from the Department of Treasury and the Department of Justice.

The definition of a machinegun as stated above was used for the foundation of the classification of the Slide Fire and it did not meet the definition of a machinegun.

This opinion was sent to Chief Counsel and higher authority for review. After much study on how the device operates, the opinion, based on definitions in the GCA and NFA, was that the Slide Fire was not a machinegun nor a firearm, and, therefore, did not require any regulatory control.

Conclusion:

The methodology of evaluation listed above has been condensed for the reader. ATF is tasked with making classifications of items based on the GCA and NFA. Personal opinions are not tolerated in the classification process. The Slide Fire bump fire stock was properly classified in accordance with the definitions codified in 1968 in the GCA and Title II of the GCA which is the NFA.

Rick Vasquez

Former Assistant Chief and Acting Chief of the Firearms Technology Branch  
Firearms Consultant and Security Advisor



## ATF Association

October 12, 2017

Representative Carlos Curbelo  
U.S. House of Representatives  
1404 Longworth H.O.B.  
Washington DC 20515

Representative Curbelo,

The ATF Association consists of current and former employees of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and is supported by organizations and citizens across the country. Recently, some have attempted to cast blame on ATF for not banning devices like the “bump slide” used in the Las Vegas shootings. We would like to clarify this confusing issue to protect honorable ATF employees from false allegations that they chose to make this item legal when it was the law that prohibited them from regulating the item. We also hope this information will assist you in a better understanding of this issue.

The National Firearms Act of 1934, Title 26 U.S.C. 5845(b) defines a “machine gun” as any combination of parts designed and intended for use in converting a weapon to shoot automatically more than one shot, without manual reloading, by a single function of the trigger. ATF also holds that any item that can cause a firearm to fire more than one shot by the single function of the trigger is also regulated as a machine gun.

The Las Vegas killer used a “bump slide” accessory that attaches to the stock of a semi-automatic rifle and enhances the rate at which the shooter can pull the trigger on the firearm. This increases the rate of fire close to that of an actual machine gun. However, under the current law, it does not make it a machine gun.

The bump slide, and several other similar after-market accessories that increase the rate at which a shooter can pull the trigger, are engineered to avoid regulation under Federal law. These accessories DO NOT cause the firearm to shoot more than one shot by the single function of a trigger pull. The notion that ATF chose not to regulate an item it had the authority to regulate is false. The law is very clear and it does not currently allow ATF to regulate such accessories.

In the past, ATF has reviewed accessories that DID cause a semi-automatic rifle or pistol to fire more than one shot with a single pull of the trigger, such as the Lightning Link, the Atkins Accelerator and other “Drop in Sears” which cause semi-automatic rifles to function as machine guns. ATF makes rulings based on the statutory authority contained in law and cannot change the law to add new accessories that do not fall within the scope of existing law. A link to many of these ATF rulings can be found at the following link: <https://www.atf.gov/firearms/docs/atf-national-firearms-act-handbook-appendix-b/download>

6919 Vista Drive • West Des Moines, IA 50266  
Phone: 515-282-8192 • Fax: 515-282-9117  
Email: [atfa@atfassociation.org](mailto:atfa@atfassociation.org) • Web: [www.atfassociation.org](http://www.atfassociation.org)

AR000708



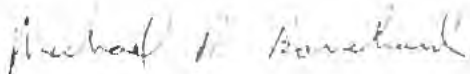
Representative Carlos Curbelo  
October 12, 2017  
Page 2

If it is determined that bump slides and similar devices should be regulated, one way it could be accomplished is to support adding a new category to the National Firearms Act of 1934 allowing for the regulation of "multi-burst trigger activators". California and New York already regulate such items. The new category of Federal law would encompass other accessories on the market that make semi-automatic rifles fire like a machine gun but are engineered in a way to avoid regulation under current Federal law. These are commonly available for sale in firearms stores and on websites such as Rapidfiretriggers.net and Rockinlock.com.

We hope you will support legislation to regulate these multi-burst trigger activators. As noted, the National Firearms Act of 1934 works well with the items that it regulates. We also hope you will not allow the honorable employees of ATF, who followed existing law in their bump stock ruling, to be falsely accused of not doing their job by those who seek to exploit the situation for political gain.

Thank you for your time and attention. I look forward to your response.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael R. Bouchard". The signature is written in a cursive, flowing style.

Michael R. Bouchard  
President, ATFA

To: Seubert, Heather (LD) (FBI) [REDACTED]  
From: Griffith, Earl L.  
Sent: Thur 10/12/2017 8:32:36 PM  
Subject: Re: Las Vegas

Hello Heather,

Thanks for getting back to me on the email. Can we get a copy of the report? We have been asked by DOJ to look at our legal analysis on bump stock devices. One of my questions would be if any of the firearms had any internal modifications that could have changed caused the rate of fire.

Kind regards  
Earl

Sent from my iPhone

On Oct 12, 2017, at 1:52 PM, Seubert, Heather (LD) (FBI) <[REDACTED]> wrote:

Hello,

Thank you. All examinations have been complete and the report has been provided to the Field office. Always appreciate the help/assistance, but we completed everything requested.

Thanks,  
Heather

Heather Seubert  
Chief, Firearms Toolmarks Unit  
FBI Laboratory  
(703)632-[REDACTED]

----- Original message -----

From: "Patterson, A. S. (TD) (FBI)" <[REDACTED]>  
Date: 10/12/17 10:53 AM (GMT-05:00)  
To: "Griffith, Earl L. (ATF)" <[REDACTED]> "Seubert, Heather (LD) (FBI)" <[REDACTED]>  
Subject: Re: Las Vegas

Heather, please see the email offer from my friend over at ATF.

Earl,  
Heather is the Unit Chief of our Laboratory Division Firearms/Toolmark Unit.

Good luck with this monster case.

----- Original message -----

From: "Griffith, Earl L." <[REDACTED]>  
Date: 10/12/17 6:33 AM (GMT-06:00)  
To: "Patterson, A. S. (TD) (FBI)" <[REDACTED]>  
Subject: Las Vegas

Scott,

I'm reaching out to offer ATF's expertise in examining the firearms used in the Las Vegas shooting. I would send one of my Firearms Enforcement Office's to give your examiner's our opinion on any modifications of the firearms. If you could send my email to the proper decision maker it would be appreciated.

Kind regards,  
Earl

Sent from my iPhone



**To:** Turk, Ronald B. [Ronald.Turk@atf.gov]  
**From:** Griffith, Earl L.  
**Sent:** Fri 10/13/2017 4:16:31 PM  
**Subject:** Fwd: Las Vegas

FYI

Sent from my iPhone

Begin forwarded message:

**From:** "Seubert, Heather (LD) (FBI)" [REDACTED]  
**Date:** October 13, 2017 at 10:16:42 AM EDT  
**To:** "Griffith, Earl L. (ATF)" <[REDACTED]>  
**Cc:** "Pokorak, Eric G. (LD) (FBI)" [REDACTED]  
**Subject:** RE: Las Vegas

Hi Earl,

Based upon the laboratory examinations that were conducted, there were no internal modifications to any of the submitted firearms that would have changed the rate of fire. I have contacted the Field Office and made them aware of your request for a report of examination. Can you provide me with the contact at DOJ that has made the request?

Thanks,  
Heather

**From:** Griffith, Earl L. (ATF) [REDACTED]  
**Sent:** Thursday, October 12, 2017 4:33 PM  
**To:** Seubert, Heather (LD) (FBI) [REDACTED]  
**Subject:** Re: Las Vegas

Hello Heather,

Thanks for getting back to me on the email. Can we get a copy of the report? We have been asked by DOJ to look at our legal analysis on bump stock devices. One of my questions would be if any of the firearms had any internal modifications that could have changed caused the rate of fire.

Kind regards  
Earl

**To:** Turk, Ronald B [Ronald.Turk@atf.gov]  
**Cc:** Allen, Joseph J [REDACTED], Gleysteen, Michael [Mike.P.Gleysteen@atf.gov]  
**From:** Brandon, Thomas E.  
**Sent:** Fri 10/13/2017 5:59:52 PM  
**Subject:** Re: Las Vegas

10-4, Ron. Thanks for letting me know. Tom

Sent from my iPhone

On Oct 13, 2017, at 1:54 PM, Turk, Ronald B. <Ronald.Turk@atf.gov> wrote:

Sir, FBI reports no further modifications to the rifles from LV scene. We will still get a copy of the report.

Ron

Begin forwarded message:

**From:** "Seubert, Heather (LD) (FBI)" [REDACTED]  
**Date:** October 13, 2017 at 10:16:42 AM EDT  
**To:** "Griffith, Earl L. (ATF)" [REDACTED]  
**Cc:** "Pokorak, Eric G. (LD) (FBI)" [REDACTED]  
**Subject:** RE: Las Vegas

Hi Earl,

Based upon the laboratory examinations that were conducted, there were no internal modifications to any of the submitted firearms that would have changed the rate of fire. I have contacted the Field Office and made them aware of your request for a report of examination. Can you provide me with the contact at DOJ that has made the request?

Thanks,  
Heather

**From:** Griffith, Earl L. (ATF) [REDACTED]  
**Sent:** Thursday, October 12, 2017 4:33 PM  
**To:** Seubert, Heather (LD) (FBI) [REDACTED]  
**Subject:** Re: Las Vegas

Hello Heather,

Thanks for getting back to me on the email. Can we get a copy of the report? We have been asked by DOJ to look at our legal analysis on bump stock devices. One of my questions would be if any of the firearms had any internal modifications that could have changed caused the rate of fire.

Kind regards

Earl

AR000714



**To:** Allen, Joseph J. [REDACTED]  
**From:** Brandon, Thomas E.  
**Sent:** Sun 10/22/2017 12:57:04 PM  
**Subject:** Re: NYTimes: 10 Minutes, 12 Gunfire Bursts, 30 Videos, Mapping the Las Vegas Massacre.

Excellent video. Thanks, Joe, Tom

Sent from my iPad

On Oct 22, 2017, at 8:36 AM, Allen, Joseph J. [REDACTED] wrote:

<https://www.nytimes.com/video/us/100000005473328/las-vegas-shooting-timeline-12-bursts.html?smprod=nytcore-ipad&smid=nytcore-ipad-share>

The shots began at 10:05. Twelve bursts of gunfire later, the police broke down Stephen Paddock's door at the Mandalay Bay. The Times mapped 30 videos to draw perhaps the most complete picture to date of what happened.

Thank you, Joe

**From:** [REDACTED]  
**To:** [Thomas.E.Brandon@usdoj.gov](mailto:Thomas.E.Brandon@usdoj.gov)  
**Subject:** Re: What Is a Bump Stock and How Does It Work? - The New York Times  
**Date:** Saturday, October 28, 2017 11:31:39 AM

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Thanks Tom. I hadn't seen this. Hope all is good.

On Oct 28, 2017, at 10:11 AM, "[Thomas.E.Brandon@usdoj.gov](mailto:Thomas.E.Brandon@usdoj.gov)"  
<[Thomas.E.Brandon@usdoj.gov](mailto:Thomas.E.Brandon@usdoj.gov)> wrote:

Chuck, great animation for understanding bump stocks. Have a nice weekend,  
Tom

<https://www.nytimes.com/interactive/2017/10/04/us/bump-stock-las-vegas-gun.html>

Sent from my iPad

ATTORNEYS GENERAL OF MASSACHUSETTS, NEVADA, ALABAMA, ALASKA,  
AMERICAN SAMOA, ARIZONA, CALIFORNIA, COLORADO, CONNECTICUT,  
DELAWARE, DISTRICT OF COLUMBIA, FLORIDA, GEORGIA, HAWAII, IDAHO,  
ILLINOIS, IOWA, MAINE, MINNESOTA, MONTANA, NEW JERSEY, NEW MEXICO,  
NORTH CAROLINA, NORTH DAKOTA, NORTHERN MARIANA ISLANDS,  
OREGON, PENNSYLVANIA, RHODE ISLAND, UTAH, VERMONT, VIRGIN  
ISLANDS, VIRGINIA, WISCONSIN

October 30, 2017

The Honorable Mitch McConnell  
Majority Leader  
U.S. Senate

The Honorable Paul Ryan  
Speaker of the House  
U.S. House of Representatives

The Honorable Chuck Schumer  
Minority Leader  
U.S. Senate

The Honorable Nancy Pelosi  
Minority Leader  
U.S. House of Representatives

Re: Las Vegas Tragedy and “Bump-Stocks”

Dear Congressional Leaders

As the chief law enforcement officers of our respective states, we are deeply saddened by the recent tragedy in Las Vegas, Nevada and we are extremely concerned about the role that so-called “bump stocks” may have played in causing mass casualties and spreading carnage. While we mourn for those injured and killed, and honor the first responders that acted with valor, it is time for Congress to consider whether action is needed to close a loophole in current machinegun laws.

Since 1986—when Congress enacted the Firearm Owners Protection Act to amend the Gun Control Act of 1968 (“Act”)—fully automatic weapons and “machineguns” have been restricted. *See* Pub. L. No. 99-308, 100 Stat. 449 (May 1986). Under the Act, it is unlawful for civilians to possess a machinegun unless the firearm was acquired prior to the Act’s effective date. 18 U.S.C. § 922(o)(2)(B). Machineguns cannot be sold or transferred without the approval of the Bureau of Alcohol, Tobacco, Firearms, and Explosives. *See id.* § 922(o)(2)(A), 27 C.F.R. § 479.84. Thus, for over three decades, Congress has expressed its intent to tightly control the availability and use of machineguns within the civilian population. Courts have upheld these restrictions against constitutional challenges. *See, e.g., U.S. v. One (1) Palmetto State Armory PA-15 Machinegun Receiver/Frame, Unknown Caliber Serial No. 1W001804*, 822 F.3d 136, 144 (3d Cir. 2016) (“These cases make clear that § 922(o) does not burden conduct falling within the scope of the Second Amendment, and thus, Watson’s facial challenge to § 922(o) must fail.”)

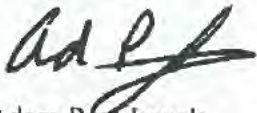
It has been widely reported that the Las Vegas gunman, Stephen Paddock, modified otherwise lawful semi-automatic rifles with “bump stocks” to kill 58 innocent people and injure hundreds more. A “bump stock” is a plastic or metal piece attached to a firearm’s stock that is specifically designed to harness the gun’s natural recoil and increase the ability to fire like a fully automatic weapon. As demonstrated by the many gut-wrenching videos that have surfaced from that fateful



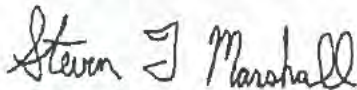
night in Las Vegas, bump stocks can mimic fully automatic machinegun fire and therefore lead to disastrous consequences in the wrong hands.

It therefore appears that bump stocks may be used to evade the machinegun laws that are currently in place and that have passed judicial scrutiny. Accordingly, we urge Congress to evaluate whether bump stocks should be regulated in the same fashion as machineguns to further protect our States' citizens from the dangers posed by unrestricted fully automatic weapons. When considering any new laws, it is vital that Congress act with due deliberation and circumspection, but Congress should carefully consider whether bump stocks have created a loophole in the machinegun laws that should be addressed.

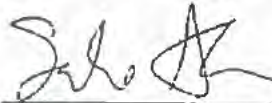
Respectfully,



Adam Paul Laxalt  
Nevada Attorney General



Steve Marshall  
Alabama Attorney General



Talauega Eleasalo V. Ale  
American Samoa Attorney General



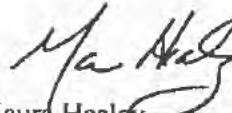
Xavier Becerra  
California Attorney General



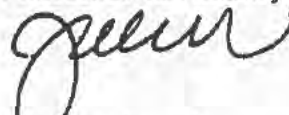
George Jepsen  
Connecticut Attorney General



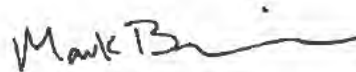
Karl A. Racine  
District of Columbia Attorney General



Maura Healey  
Massachusetts Attorney General



Jenna Lindemuth  
Alaska Attorney General



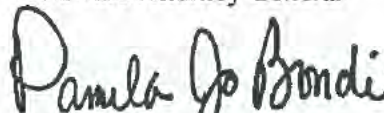
Mark Brnovich  
Arizona Attorney General




Cynthia H. Coffman  
Colorado Attorney General



Matthew P. Denn  
Delaware Attorney General



Pamela Jo Bondi  
Florida Attorney General



Christopher M. Carr  
Georgia Attorney General



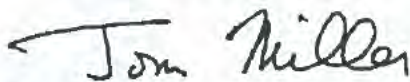
Douglas S. Chin  
Hawaii Attorney General



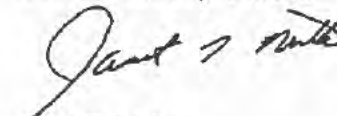
Lawrence Wasden  
Idaho Attorney General



Lisa Madigan  
Illinois Attorney General



Tom Miller  
Iowa Attorney General



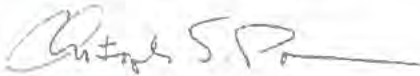
Janet T. Mills  
Maine Attorney General



Lori Swanson  
Minnesota Attorney General



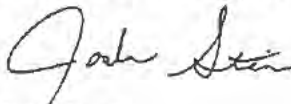
Tim Fox  
Montana Attorney General



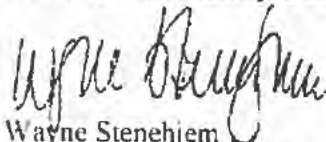
Christopher S. Porrino  
New Jersey Attorney General



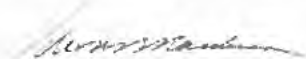
Hector Balderas  
New Mexico Attorney General



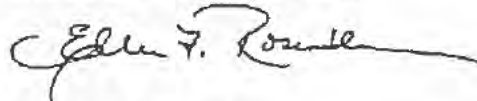
Josh Stein  
North Carolina Attorney General



Wayne Stenehjem  
North Dakota Attorney General



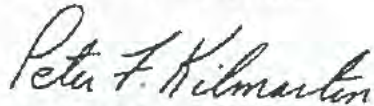
Edward Manibusan  
Northern Mariana Islands Attorney General



Ellen F. Rosenblum  
Oregon Attorney General



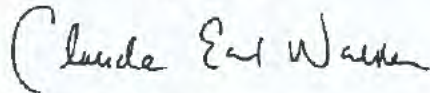
Josh Shapiro  
Pennsylvania Attorney General



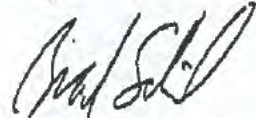
Peter F. Kilmartin  
Rhode Island Attorney General



Sean Reyes  
Utah Attorney General



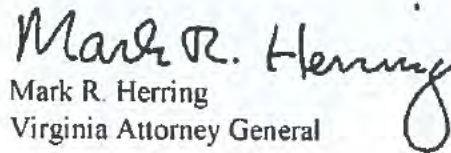
Claud E. Walker  
Virgin Islands Attorney General



Brad Schimel  
Wisconsin Attorney General



T.J. Donovan  
Vermont Attorney General



Mark R. Herring  
Virginia Attorney General